IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 25488 of 1995

Between:

K.Rangaiah, S/o.Venkaiah,

Janakipuram, Rajapuram Post,

Chandrugonda, Dist.Khammam-505316

..... PETITIONER

AND

1. The Depot Manager, APSRTC,

Bus Depot, Manugooru

2. The Divisional Manager,

APSRTC, Khammam

3. The Regional Manager,

APSRTC, Khammam

....RESPONDENTs

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue an appropriate Writ, Order or direction particularly one in the nature of Mandamus declaring that the petitioner is entitled for daily wage @ Rs.63/- per day in the cadre of cleaner and to pay him the wages as daily wage as per the timely increase in the rate of payment, and to pass such other orders.

Counsel for the Petitioner: MR.G.RAVI MOHAN

Counsel for the Respondents: SMTA.VYJAYANTHI

The Court made the following:

ORDER:

The petitioner worked as a Cleaner in the respondent Corporation. He was retrenched on 18.06.1985 while he was working at Sathupally Depot in Khammam District. He filed I.D.No.44 of 1992 before the Industrial Tribunal-cum-Labour Court, Warangal under section 2-A (2) of Industrial Disputes Act, 1947. The Industrial Tribunal passed an award on 23.02.1994, directing the respondent to reinstate the petitioner into service with continuity of service but without back wages.

2. In pursuance of the said award, the 2nd respondent posted the petitioner at Manguru Depot as contract labour with continuity of service but without back wages. The 1st respondent paid Rs.6/- (Rupees six only) per day, without regularizing his services on par with juniors at the same time. The petitioner is entitled to wages at Rs.63/- (Rupees sixty three only) per day as per the Minimum Wages Act. The respondents did not pass any orders regarding the wages, to which the petitioner is entitled. The petitioner got issued a legal notice on 29.03.1995 to the respondents, but there was no response from the respondent.

3. Therefore, the petitioner approached this Court through this writ petition, requesting to hold that he is entitled for daily wages at the rate of Rs.63/- (Rupees sixty three only) per day in the cadre of Cleaner, and continue to pay the wages at the rates, that are being revised from time to time.

4. The respondents did not come forward with any counter, despite lapse of so much time.

5. In the light of the contentions of the petitioner that he is entitled to more wages during the relevant period, the respondents are directed to pass appropriate orders

by keeping in view of the Rules in force as on the relevant date, regarding the claim of better wages made by the petitioner for the relevant period.

6. The Writ Petition is, accordingly, disposed of at the admission stage. No order as to costs.

Dsr/svs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Depot Manager, APSRTC,

Bus Depot, Manugooru

2. The Divisional Manager,

APSRTC, Khammam,

3. The Regional Manager,

APSRTC, Khammam

4. Two CD copies.